

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

FLAME S.A.

Plaintiff,

vs.

INDUSTRIAL CARRIERS, INC.
VISTA SHIPPING, INC., and
FREIGHT BULK PTE. LTD.,

Defendants.

Civ. No. 2:13-cv-658

**NOTICE OF DEFENDANT FREIGHT BULK
PTE. LTD.'s EMERGENT MOTION TO VACATE ATTACHMENT**

TO ALL PARTIES AND COUNSEL OF RECORD:

PLEASE TAKE NOTICE that on December 6, 2013 at 9:00 a.m., or as soon thereafter as the matter may be heard, before Judge Doumar of the United States District Court for the Eastern District of Virginia, 600 Granby Street, Norfolk, VA 23510, specially-appearing defendant, FREIGHT BULK PTE. LTD., will move this Court to vacate the order of attachment issued by this Court on November 22, 2013 and dismiss Plaintiff's Verified Complaint in its entirety.

This motion to vacate is made pursuant to Rule E(4)(f) of the Supplemental Rules of Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure on the grounds that the Order of attachment was improperly obtained by Plaintiff and should not have been issued. Rule E(4)(f) further provides that a party affected by an attachment order is entitled to a "prompt" hearing regarding the propriety of the motion.

This motion is based upon this Notice, the accompanying Memorandum of law and the exhibits thereto, the Declaration of Timothy Saloman and the attachment thereto, the pleadings,

records and papers on file herein, and on such further oral and documentary evidence as may be presented at the hearing of this motion.

Dated: December 2, 2013
Oyster Bay, New York

Respectfully submitted,
DAVEY & BROGAN, P.C.

/s/ Patrick M. Brogan
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